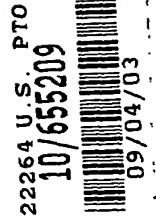


Patent  
USSN - Application  
Atty Docket No. 8146-90519



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 )  
Cedric Don-Carolis, et al. )  
 )  
For: Photonic Communication System with )  
"Sub-Line Rate" Bandwidth Gradularity, )  
Protocol Transparency and Deterministic Mesh )  
Connectivity )  
 )  
Filed: Herewith )  
 )  
 )

CERTIFICATE OF EXPRESS MAIL DEPOSIT

"Express Mail" Mailing Label No. EV 337102085 US

Date of Deposit: September 4, 2003

I hereby certify that this paper, or fee, is being deposited with the U.S. Postal Service  
"Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated  
above and addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA  
22313-0001

Tracy Ibarra  
(Typed or printed name of person mailing fee or paper)

Tracy Ibarra  
(Signature of person mailing paper or fee)

The documents enclosed with and being filed with this paper are:

1. Continuation PCT application transmittal
2. Patent application (35 pgs) and drawings (23 sheets)
3. Executed Declaration
4. Application Data Sheet
5. Check in the amount of \$370.00 for Filing Fee



09/04/03

PTO/SB/13/PCT (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# REQUEST FOR FILING A CONTINUATION ~~OR DIVISION~~ OF AN INTERNATIONAL APPLICATION

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
8146-90519	CLASS	SUBCLASS		

Address to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b) of pending prior international application Number PCTA02/00301, filed on 3/6/02 entitled Photonic communication system with "sub-line rate" bandwidth granularity, protocol transparency which designated the United States. and deterministic mesh connectivity

Note: 37 CFR 1.53(d) cannot be used to file a continuation or divisional application of an international application which has not entered the national stage.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))		8 - 20 =	0	x \$ 9 =	\$ 0
INDEPENDENT CLAIMS (37 CFR 1.16(b))		1 - 3 =	0	x \$ 42 =	0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ _____ =	0
				BASIC FEE (37 CFR 1.16(a))	+ 340.00
				Total of above Calculations =	340.00
				Reduction by 50% for filing by small entity (Note 37 CFR 1.27).	370.00
				Total =	370.00

1. Enclosed are the specification, claims and drawing(s).

2. ☒ Applicant claims small entity status. See 37 CFR 1.27.

3. ☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 23-0920. A duplicate copy of this sheet is enclosed.

4. ☒ A check in the amount of \$ 370.00 is enclosed.

5. ☐ Payment by credit card. Form PTO-2038 is attached.

6. ☒ Application Data Sheet is enclosed. See 37 CFR 1.76.

7. ☒ Amend the specification by inserting before the first line the sentence: "This application is a ☒ continuation ☐ division of international application number PCTA02 00301, filed March 6, 2002 (status, abandoned, pending, etc.)."

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# REQUEST FOR FILING A CONTINUATION ~~OR DIVISION~~ OF AN INTERNATIONAL APPLICATION

8. ☒ A declaration under 37 CFR 1.63 is enclosed.
9. ☒ Priority of foreign application number 2,339,902, filed on 3/7/01 in Canada is claimed under 35 U.S.C. 119(a)-(d).
- ☐ The certified copy is enclosed.
10. ☐ A preliminary amendment is enclosed.
11. ☐ Also enclosed: \_\_\_\_\_

Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record).  
Thomas R. Vigil, Welsh & Katz, Ltd, 120 South Riverside Plaza, 22nd Floor  
Chicago, Illinois 60606-3912

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

9/8/2003  
 Date

Thomas R. Vigil  
 Signature

Thomas R. Vigil  
 Typed or printed name

- ☐ Inventor(s)/Applicant(s)
- ☐ Assignee of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ Attorney or agent of record
- ☐ Filed under 37 CFR 1.34(a)  
 Registration number if acting under 37 CFR 1.34(a). \_\_\_\_\_

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.